



WHAT ARE MY RIGHTS IN EMPLOYMENT?

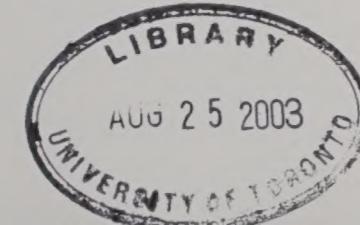
The Ontario *Human Rights Code* (the "Code") states that it is public policy to recognize the inherent dignity and worth of every person, and to provide for equal rights and opportunities without discrimination.

Employment decisions should be based on the applicant's ability to do the job and not on factors that are unrelated to the job. For this reason, employers are advised to ask only questions that relate to the job, and not ask questions that might lead to discrimination.

FREEDOM FROM DISCRIMINATION

The Code prohibits discrimination in employment on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status and handicap.

The Ontario Human Rights Commission (the Commission) considers "employment" to include full-time and part-time work, contract work, temporary work for an agency, and probationary periods. "Employment" may even include volunteer work.



HIRING

YOUR RIGHTS & RESPONSIBILITIES

WHAT ABOUT JOB ADS?

Job advertisements cannot directly or indirectly ask about race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status or handicap.

Some qualifications can unfairly prevent or discourage people from applying for a job. For example, a job that requires "Canadian experience" may create discriminatory barriers.

Requirements or duties of employment should be reasonable, genuine and directly related to the job. For example, it is reasonable and job-related to require that a receptionist speak clearly in English, but it is not acceptable to require "unaccented English".

WHAT ABOUT APPLICATION FORMS?

It is not acceptable to include questions that relate directly or indirectly to the prohibited grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status or handicap.

The types of questions that are acceptable are those that ask if it is legal for a candidate to work in Canada, or if the

candidate has the necessary skills needed to perform the job (such as fluency in English for a receptionist's position).

Employment-related medical examinations or inquiries that are part of the applicant screening process are not permitted (see the Commission's *Policy on Employment-Related Medical Information*).

EXCEPTIONS

The Code sets out a number of exceptions. The exceptions are made to allow special programs to serve the needs of historically disadvantaged communities, or on the basis of other circumstances.

For assistance in determining whether an exception applies, contact the Ontario Human Rights Commission at 1-800-387-9080.

WHAT ABOUT HUMAN RIGHTS COMPLAINTS?

If you want more information, have had a complaint filed against you, or if you have a human rights complaint, contact the general inquiry line. A Commission staff person will tell you if your concerns are covered by the Code. If they are covered, Commission staff will explain how the Code applies to your situation and how the complaint procedure works.

The Commission also offers mediation services.

FOR MORE INFORMATION

For more information about the Ontario Human Rights Commission or this brochure, please visit our Web site at www.ohrc.on.ca, or call in confidence during regular office hours from Monday to Friday.

Toll free 1-800-387-9080
TTY (416) 314-6526

Also available in French, Punjabi, Spanish, Tagalog and Urdu.

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